IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL APPEAL No. 412 of 2002

For Approval and Signature:

HON'BLE MR.JUSTICE J.R.VORA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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RAMESHBHAI MAGAJIBHAI PATEL - Appellant(s)
Versus
STATE OF GUJARAT - Opponent(s)

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Appearance :
THROUGH JAIL for Appellant No(s).: 1.
MR NN PRAJAPATI for Appellant No(s).: 1.
MR SP HASURKAR APP for Respondent No(s).: 1.

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CORAM : HON'BLE MR.JUSTICE J.R.VORA

Date : 11/08/2005

ORAL JUDGMENT

1.The present appellant came to be convicted by learned Additional Sessions Judge, Valsad Camp, vide his judgment and order dated 15.12.2001 delivered in Sessions Case No.49 of 1999 for the offence punishable under Section 397 of the Indian Penal Code and was sentenced to undergo rigorous imprisonment of seven years and to pay a fine of Rs.3,000/-, in default to undergo simple imprisonment of three months. He was also convicted for the offence punishable under Section 333 of the Indian Penal Code and was sentenced to the same quantum of punishment. In addition to this, he was also convicted for the charge under Section 25(1-A) of the Arms Act and was sentenced to undergo rigorous imprisonment of one year and to pay a fine of Rs.1,000/-. The appellant was accused No.4 in the said Sessions Case and along with the present appellant, accused No.2 of the said Sessions Case was also convicted in like

manner, but he is not before this Court, as this appeal is preferred only by original accused No.4 – Rameshbhai Magajibhai Patel. This appeal came to be admitted by this Court vide order dated 11.10.2002.

2. Learned advocate Mr.N.N.Prajapati appointed for the appellant and learned APP Mr.S.P.Hasurkar for the respondent – State were heard in respect of this appeal.

3. Learned APP places on record in this appeal, a xerox copy of the letter addressed to him by Inspector General of Jails and the letter is dated 29.07.2005 forwarding therewith information in respect of convict-prisoner released from the jail, after serving of sentence inflicted upon respective convict-prisoner. A statement bearing seven columns attached with the above said letter, is also placed on record by the learned APP.

4. According to the above mentioned information, it is shown at Sr.No.14 that in the present

appeal, the appellant - Rameshbhai Magajibhai Patel is released from the jail on 27.08.2004, after completion of serving of sentence imposed upon him by the trial Court.

5. In view of the above, when the appellant is served with the sentence inflicted upon him and he is released from the jail, long back, this appeal has now become infructuous and stands disposed of accordingly.

[J. R. VORA,J.]

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